

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, SEPTEMBER 9, 2004**

UNAPPROVED
September 17, 2004

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Kenneth A. Lawrence, Providence District
Rodney L. Lusk, Lee District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:22 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Alcorn announced that a public information session on the proposed Zoning Ordinance changes regarding P-District would be held by the Department of Planning and Zoning on Thursday, September 16, 2004, at 7:30 p.m. in the Herrity Building, rooms 106 and 107.

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Commissioner Alcorn also announced that the Environment Committee would meet on Thursday, September 30, 2004, at 7:30 p.m., in the Board Conference Room. He noted that the Committee would be discussing proposed changes to the Comprehensive Plan relating to the Chesapeake Bay Ordinance and underground stormwater detention in residential districts.

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FS-L04-45- OMNIPOINT (T-MOBILE), 8350 Richmond Highway

Commissioner Lusk MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY

OMNIPOINT T-MOBILE ON THE 64.5 FOOT TALL SOUTH COUNTY GOVERNMENT CENTER BUILDING LOCATED AT 8350 RICHMOND HIGHWAY IS IN SUBSTANTIAL ACCORD WITH THE RECOMMENDATION OF THE COMPREHENSIVE PLAN AND SHOULD BE DETERMINED AS A "FEATURE SHOWN" PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioners Wilson and Lawrence seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION FURTHER DEFER THE DECISION ONLY ON OTPA S04-II-V2 TO A DATE CERTAIN OF OCTOBER 14, 2004, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioners Lusk and Alcorn seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY DEFER THEIR PUBLIC HEARING ON OTPA S04-II-V2 TO A DATE CERTAIN OF OCTOBER 18, 2004.

Commissioners Lusk and Alcorn seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

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Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2004-PR-006 AND FDP 2004-PR-006 TO A DATE CERTAIN OF OCTOBER 21, 2004.

Commissioner Lusk seconded the motion which carried unanimously with Commissioner Hart not present for the vote; Commissioners Hall, Koch, and Murphy absent from the meeting.

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PCA 84-P-002-04 - FAIR OAKS PENDERBROOK APARTMENTS, LLC
SE 2004-PR-014 - FAIR OAKS PENDERBROOK APARTMENTS, LLC (Decisions Only)
(The public hearing on these decisions was held on July 28, 2004. A complete verbatim transcript of the decision made is included in the date file)

Commissioner Lawrence MOVED THAT PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 84-P-002-04, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED JUNE 8, 2004.

Commissioner Lusk seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2004-PR-014, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 7, 2004.

Commissioner Lusk seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE PREVIOUSLY APPROVED WAIVER OF THE SIX HUNDRED FOOT MAXIMUM LENGTH FOR PRIVATE STREETS BE REAFFIRMED.

Commissioner Lusk seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Hall, Koch, and Murphy absent from the meeting.

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The next case was in the Mount Vernon District; therefore, Vice Chairman Byers relinquished the Chair to Secretary Harsel.

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RZ 2003-MV-062 – EASTWOOD PROPERTIES, INC.

FDP 2003-MV-062 – EASTWOOD PROPERTIES, INC. (Decisions Only)

(The public hearing on these applications was held on July 29, 2004. A complete verbatim transcript of the decision mad is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2003-MV-062 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE PROFFERS NOW DATED 24 AUGUST, 2004.

Commissioners Hopkins and Lawrence seconded the motion which carried by a vote of 8-1 with Commissioner Wilson opposed; Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2003-MV-062, SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING.

Commissioners de la Fe, Hopkins, and Lawrence seconded the motion which carried by a vote of 8-1 with Commissioner Wilson opposed; Commissioners Hall, Koch, and Murphy absent from the meeting.

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Vice Chairman Byers resumed the Chair.

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Commissioner Wilson MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON ZONING ORDINANCE AMENDMENT (CLUSTER CLARIFICATION), FROM SEPTEMBER 9, 2004 TO A DATE CERTAIN OF SEPTEMBER 30, 2004.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

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Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY DEFER THEIR PUBLIC HEARING ON ZONING ORDINANCE AMENDMENT (CLUSTER CLARIFICATION) UNTIL A DATE SUBSEQUENT OF SEPTEMBER 30, 2004.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

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Secretary Harsel MOVED THAT THE FOLLOWING MINUTES BE APPROVED:

October 2, 2002	November 6, 2002	December 4, 2002
October 9, 2002	November 7, 2002	December 11, 2002
October 10, 2002	November 13, 2002	December 12, 2002
October 16, 2002	November 14, 2002	
October 17, 2002	November 20, 2002	
	November 21, 2002	

Commissioner Alcorn seconded the motion which carried by a vote of 5-0-4 with Commissioners Hart, Hopkins, Lawrence, and Lusk abstaining; Commissioners Hall, Koch, and Murphy absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. PCA 77-C-098-05 – TST WOODLAND LLC
PCA 80-C-028-07 – TST WOODLAND LLC
PCA 2000-HM-044 – TST WOODLAND LLC

FDPA 2000-HM-044 – TST WOODLAND LLC
FDP 2003-HM-046 – TST WOODLAND LLC
RZ 2003-HM-046 – TST WOODLAND LLC

The order was accepted without objection.

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RZ 2003-HM-046/ FDP 2003-HM-046 - TST WOODLAND LLC -
Appls. to rezone from I-4 to PDC to permit a mixed use development,
concurrent with PCA/FDPA 2000-HM-044, with an overall Floor
Area Ratio (FAR) of 0.7 and approval of the conceptual and final
development plans. Located in the N.E. quadrant of Sunrise Valley
Dr. and Corporate Park Dr. on approx. 20.94 ac. of land. Comp. Plan
Rec: Mixed Use. Tax Map 16-4 ((1)) 42 pt., 43, 44 pt., 45 pt. and 46
pt. (Concurrent with PCA 77-C-098-05, PCA 80-C-028-07 and
PCA/FDPA 2000-HM-044.) HUNTER MILL DISTRICT. PUBLIC
HEARING.

PCA 2000-HM-044/ FDPA 2000-HM-044 - TST WOODLAND LLC
- Appls. to amend the proffers and final development plan for RZ
2000-HM-044 approved for mixed use development to permit
building and site modifications concurrent with RZ/FDP 2003-HM-
046 with an overall Floor Area Ratio (FAR) of 0.7. Located in the
S.W. quadrant of the Dulles Airport Access and Toll Rds. and
Monroe St. on approx. 26.39 ac. of land zoned PDC. Comp. Plan
Rec: Mixed Use. Hunter Mill District. Tax Map 16-4 ((1)) 42 pt., 44
pt., 45 pt. and 46 pt. (Concurrent with RZ/FDP 2003-HM-046, PCA
77-C-098-05 and PCA 80-C-028-07.) HUNTER MILL DISTRICT.
JOINT PUBLIC HEARING.

PCA 80-C-028-07 - TST WOODLAND LLC - Appl. to delete land
area from the proffers for RZ 80-C-028 and to permit the area to be
rezoned with RZ 2003-HM-046. Located in the N.E. quadrant of the
intersection of Sunrise Valley Dr. and Corporate Park Dr. on approx.
8.11 ac. of land zoned I-4. Comp. Plan Rec: Mixed Use. Tax Map

PCA 77C-098-05, PCA 80-C-028-07, PCA 2000-HM-044,
FDPA 2000-HM-044, FDP 2003-HM-046, RZ 2003-HM-046
TST WOODLAND LLC

September 9, 2004

16-4 ((1)) 42 pt., 43 pt. and 46 pt. (Concurrent with RZ/FDP 2003-HM-046, PCA 77-C-098-05 and PCA/FDPA 2000-HM-044.)
HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

PCA 77-C-098-05 - TST WOODLAND LLC - Appl. to delete land area from the proffers for RZ 77-C-098 to permit the area to be rezoned with RZ 2003-HM-046. Located on the E. side of Corporate Park Dr., approximately 600 ft. N. of Sunrise Valley Dr. on approx. 12.82 ac. of land zoned I-4. Comp. Plan Rec: Mixed Use. Tax Map 16-4 ((1)) 42 pt., 43 pt., 44 pt., 45 pt. and 46 pt. (Concurrent with RZ/FDP 2003-HM-046, PCA 80-C-028-07 and PCA/FDPA 2000-HM-044.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

Elizabeth Baker, Land Use Coordinator with Walsh, Colucci, Lubeley, Emrich, and Terpak PC reaffirmed the affidavits dated August 24, 2004 and July 6, 2004. There were no disclosures by Commission members.

William Mayland, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

Ms. Baker stated that the applicant was seeking approval to rezone approximately 21 acres of land zoned I-4 to PDC and add it to adjacent PDC development. She explained that the purpose was to make the area more of a mixed-use community by the addition of a much needed retail component adjacent to a residential building. She pointed out that the 47 acre site would continue to be predominantly office development clustered along the Dulles Airport Access Road with no increase in density. Ms. Baker said the proposed development would benefit Woodland Park as well as the community at large and that amenities would include a park, a playing field and sports court, a trail, tot lots, and streetscape improvements. In conclusion, she noted that the applicant's proposal had the support of the Hunter Mill Land Use Committee.

In response to a question from Commissioner Wilson, Ms. Baker said that the two stories referred to in Proffer Number 6b would each be 38 feet in height. In response to another question from Commissioner Wilson, Ms. Baker explained that fast food restaurants would only be allowed in an area with other fast food restaurants.

Ms. Baker replied to questions from Commissioners Lawrence, Hart, and Wilson about the future grocery store which would be part of the retail component. Commissioner de la Fe commented that a grocery store was vital to the viability of the development.

Commissioners Hart and Wilson discussed with Ms. Baker the status of tenant negotiations.

PCA 77C-098-05, PCA 80-C-028-07, PCA 2000-HM-044,
FDPA 2000-HM-044, FDP 2003-HM-046, RZ 2003-HM-046
TST WOODLAND LLC

September 9, 2004

Vice Chairman Byers called for speakers from the audience but received no response. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Byers closed the public hearing, and recognized Commissioner de la Fe for action on this application (A verbatim excerpt is in the date file).

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Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA 77-C-098-05 AND PCA 80-C-028-07.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2003-HM-046 AND PCA 2000-HM-044, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED SEPTEMBER 8, 2004 AND THE BOARD OF SUPERVISORS' APPROVAL OF PCA 77-C-098-05 AND PCA 80-C-028-07.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO APPROVE FDP 2003-HM-046 AND FDPA 2000-HM-044, SUBJECT TO THE FINAL DEVELOPMENT PLAN CONDITIONS DATED AUGUST 25, 2004 CONTAINED IN APPENDIX 2 AND THE BOARD OF SUPERVISORS' APPROVAL OF PCA 2003-HM-046 AND PCA 2000-HM-044.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS ALONG SUNRISE VALLEY DRIVE, IN ACCORDANCE WITH THE LANDSCAPING DEPICTED ON THE CDP/FDP FOR THE AREA ASSOCIATED WITH RZ 2003-HM-046.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE 75 FOOT MINIMUM SETBACK REQUIREMENT AND SERVICE DRIVE REQUIREMENT ALONG THE DULLES AIRPORT ACCESS ROAD

PCA 77C-098-05, PCA 80-C-028-07, PCA 2000-HM-044,
FDPA 2000-HM-044, FDP 2003-HM-046, RZ 2003-HM-046
TST WOODLAND LLC

September 9, 2004

TO THE AREA ASSOCIATED WITH RZ 2003-HM-046.

Commissioner Hopkins seconded the motion which carried by a vote of 7-2 with Commissioners Byers and Harsel opposed; Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE LOADING SPACE REQUIREMENTS FOR TAX MAP 16-4 ((1)) 42 TO PERMIT THE 4 LOADING SPACES AS SHOWN ON THE CDP/FDP AND A WAIVER OF THE 600 FOOT MAXIMUM LENGTH REQUIREMENT FOR PRIVATE STREETS FOR THE AREA ASSOCIATED WITH RZ 2003-HM-046.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE USE LIMITATION FOR THE PDC DISTRICT TO PERMIT THE GROSS FLOOR AREA OF RESIDENTIAL USE TO EXCEED 50 PERCENT OF THE PRINCIPAL USES TO ALLOW 599,976 SQUARE FEET OF RESIDENTIAL USE ASSOCIATED WITH RZ 2000-HM-044.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Hall, Koch, and Murphy absent from the meeting.

Commissioner de la Fe MOVED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE 75 FOOT MINIMUM SETBACK REQUIREMENT AND THE SERVICE DRIVE REQUIREMENT ALONG THE DULLES AIRPORT ACCESS ROAD FOR THE AREA ASSOCIATED WITH PCA 2000-HM-044.

Commissioner Hopkins seconded the motion which carried by a vote of 7-2 with Commissioners Byers and Harsel opposed; Commissioners Hall, Koch, and Murphy absent from the meeting.

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The meeting was adjourned at 9:15 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

September 9, 2004

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Susan M. Donovan

Approved on:

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission